

United States Senate

WASHINGTON, DC 20510

March 30, 2017

The Honorable James B. Comey, Jr.
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue NW
Washington, D.C. 20535

The Honorable Jeff Sessions
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20535

The Honorable Steven T. Mnuchin
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220

Dear Secretary Mnuchin, Attorney General Sessions, and Director Comey:

We are writing to express serious concerns about the questions raised by a March 13, 2017 *New Yorker* magazine article by Adam Davidson entitled, “Donald Trump’s Worst Deal.” We urge you to investigate the questions it raises about: 1) potential violations by the Trump Organization of the Foreign Corrupt Practices Act (FCPA); 2) the possibility that one of the construction entities involved with the developers of the project may have been an Islamic Revolutionary Guard Corps (IRGC) front organization; and 3) whether the IRGC may have been the ultimate source of certain payments made to the Trump Organization, which would constitute a clear violation of US sanctions law.

Mr. Davidson’s article chronicles the Trump Organization’s relationship with Azerbaijan’s Mammadov family in their joint development of the Trump Tower in Baku. It appears that the lack of due diligence by the Trump Organization described in the article exposed President Trump and his organization to notoriously corrupt Azerbaijani oligarchs, and may also have exposed the Trump Organization to the IRGC. Even though the Trump Organization appears to have withdrawn from the Baku Tower deal, serious questions remain unanswered about the Trump Organization’s potential criminal liability. Therefore, we would appreciate your response to the following questions regarding the laws under your enforcement purview.

Department of Justice

The Foreign Corrupt Practices Act (FCPA) was enacted to establish anti-corruption controls for business dealings with foreign officials. Since the business relationships described in the Davidson article could involve violations of the FCPA, we urge the Department to assess whether any violations of law occurred. In particular, we ask that you determine the following:

1. Whether the Trump Organization failed to conduct appropriate FCPA due diligence in assessing business relationships with the Mammadov family (including Ziya Mammadov, the Azeri Minister of Transportation who is a billionaire despite a reported government salary of \$12,000 annually) and prospects for the Trump Tower project, involving Ziya’s son Anar, and Ziya’s brother Elton Mammadov, an influential Member of Parliament. Such failures may constitute potential FCPA violations.

2. Whether the Trump Organization acted with willful blindness regarding its business partners' illicit acts in the Trump Tower Baku dealings, including the Mammadov family, and whether the Trump Organization could face criminal prosecution.
3. If the Justice Department determines that no investigation is necessary, please explain why not.

Department of the Treasury

Mr. Davidson's article details the relationships that exist between the Mammadov family and the IRGC, and between what is described as a possible IRGC-controlled construction firm (the Azarpassillo firm) and the Mammadovs, and the Trump Organization. These relationships raise serious questions about whether the Trump Organization may have become entangled with an IRGC front organization in violation of U.S. sanctions. We urge you to investigate the Trump Organization's foreign partners in the Trump Tower Baku deal, as well as the internal controls of the Trump Organization, and provide us with your conclusions, where appropriate. In particular:

1. We request a briefing, in coordination with the Director of National Intelligence, on any relationship between the Mammadov family and the IRGC, as well as the Mammadov family's relationship to the Azarpassillo firm, its chairman Keyumars Darvishi, and his family, and their relationship to the IRGC.
2. We ask you to direct the Office of Foreign Assets Control to open an investigation into whether the Trump Organization maintained proper compliance controls in this case, and to assess whether or not the Trump Organization violated US sanctions law by conducting transactional activity with a group linked to the IRGC.

Thank you for your attention to this matter. We look forward to hearing from you.

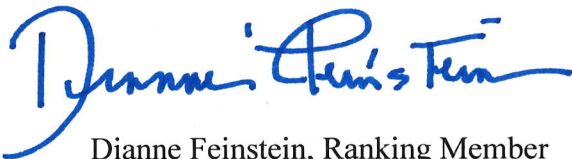
Sincerely,



Sherrod Brown, Ranking Member
Committee on Banking, Housing and
Urban Affairs



Ben Cardin, Ranking Member
Committee on Foreign Relations



Dianne Feinstein, Ranking Member
Committee on the Judiciary

cc: Mike Piowar, Acting Chairman, U.S. Securities and Exchange Commission